IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.	:	10/057,441	Confirmation No.	9642
Applicant	:	Ivan Fernandez-Corbaton		
Filed	:	January 25, 2002		
Art Unit	:	2123		
Examiner	:	Carlos R. Ortiz Rodriguez		
Docket No.	:	010379		
Customer No.	:	23696		

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

Dear Commissioner:

The Examiner's statements of reasons for allowance are hereby acknowledged by Assignee. Assignee agrees that the claimed subject matter is patentably distinct from the documents cited by the Examiner; however, Assignee takes no position regarding the reasons for allowance presented by the Examiner, other than the positions Assignee may have previously taken during prosecution of the above-referenced patent application. Therefore, the Examiner's reasons for allowance should not be attributed to Assignee as an indication of the basis for Assignee's belief that the claims are patentably distinct. For example, Applicant contends that all means plus function elements should be construed in accordance with 35 U.S.C. § 112, ¶6. Furthermore, it is respectfully asserted that there may also be additional reasons for patentability of the claimed subject matter not explicitly stated in this record. While in accordance with 37 C.F.R. §1.104(e), a failure by the Assignee to disagree with the Examiner, or file more detailed comments, does not give rise to any implication that the Assignee agrees with or acquiesces in the reasoning of the Examiner, here, by this document, Assignee is expressly making clear that no such agreement or acquiescence is present.

Please charge any fees or overpayments that may be due with these comments to Deposit Account No. 17-0026.

Respectfully submitted,

Dated   Nov 24, 2008   By: _____
                                      Linda G. Gunderson
                                      Attorney for Applicants
                                      Reg. No. 46,341

QUALCOMM Incorporated
Attn: Patent Department
5775 Morehouse Drive
San Diego, California 92121-1714
Telephone: (858) 651-7351
Facsimile: (858) 651-1003